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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 ROBERT JOSEPH LUMPKIN,

10 Plaintiff,

11 v.

12 DEPUTY SALT, et al.,

13 Defendants.  
14

CASE NO. C18-330 RSM

ORDER DENYING MOTION ASKING  
THE COURT TO COLLECT ONE FILING  
FEE AT A TIME

15 This matter is before the Court on Plaintiff's Motion Asking the Court to Collect One  
16 Filing Fee at a Time. Dkt. #54. Plaintiff asserts that the Washington Department of Corrections  
17 is collecting filing fees for three of Plaintiff's *in forma pauperis* ("IFP") proceedings (two before  
18 this Court and one appeal before the Ninth Circuit Court of Appeals). Dkt. #54 at 1.<sup>1</sup> Plaintiff  
19 requests that the Court "send an order to the Clallam Bay Corrections Center Banking department  
20 stating that I have to pay one filing fee at a time." Dkt. #54 at 1. In support, Plaintiff attaches a  
21 "Trust Account Statement" purportedly showing account activity from January 1, 2018, until  
22 June 25, 2018.<sup>2</sup> *Id.* at 2–4.  
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25 <sup>1</sup> Plaintiff inconsistently indicates that this results in collection of 60% or 100% of his monthly  
prison income. Dkt. #54 at 1.

26 <sup>2</sup> The Trust Account Statement only lists transactions occurring between April 25, 2018, and June  
13, 2018. Dkt. #54 at 4, 3.

1 The Prisoner Litigation Reform Act (PLRA) requires that prisoners proceeding *in forma*  
2 *pauperis* pay the full amount of the filing fee for civil actions. 28 U.S.C. § 1915(b)(1); *see also*  
3 *Taylor v. Delatoore*, 281 F.3d 844, 847 (9th Cir. 2002) (PLRA's mandatory filing fee  
4 requirement is constitutional). The filing fee may be collected by an initial partial filing fee and  
5 "monthly payments of 20 percent of the preceding month's income credited to the prisoner's  
6 account." 28 U.S.C. § 1915(b)(2). "The agency having custody of the prisoner shall forward  
7 payments from the prisoner's account to the clerk of the court each time the amount in the account  
8 exceeds \$10 until the filing fees are paid." *Id.*  
9

10 Plaintiff cites to no legal authority that would exclude him from the requirements of the  
11 PLRA. Plaintiff elected to file his civil actions and is required by statute to bear the costs.  
12 Further, the record Plaintiff puts before the Court is insufficient for the Court to grant Plaintiff  
13 his requested relief. The Trust Account Statement Plaintiff provides shows that Plaintiff has  
14 incurred several obligations related to actions before this Court. Dkt. #50 at 2, 4. Some of these  
15 debts have been partially paid and some have been fully paid.<sup>3</sup> *Id.* However, Plaintiff provides  
16 no proof that any amounts are currently being deducted from Plaintiff's Trust Account to pay  
17 filing fees to this Court or the amount of those deductions, if they are occurring. *Id.* at 4, 3.  
18

19 Accordingly, the Court finds and ORDERS that Plaintiff's Motion Asking the Court to  
20 Collect One Filing Fee at a Time (Dkt. #54) is DENIED.

21 Dated this 1<sup>st</sup> day of February 2019.  
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24 RICARDO S. MARTINEZ  
25 CHIEF UNITED STATES DISTRICT JUDGE  
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<sup>3</sup> The Trust Account Statement does not demonstrate that any portion of the filing fee in this case has been collected. *See* Dkt. #50 at 2 (showing \$350 owing and \$0 paid on C18-330-RSM).